BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting August 19, 2008

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:05 P. M., Tuesday, August 19, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Harry E. Crisp, Mark Dudenhefer; Paul V. Milde; George H. Schwartz, Chairman; Cord A. Sterling; Robert "Bob" Woodson and M. S. "Joe" Brito, Vice Chairman.

Also in attendance were: Michael P. Neuhard, Deputy County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

<u>Legislative</u>; Recognize the Fire and Rescue Department Personnel for Their Annual "Fill the Boot" Campaign for Muscular Dystrophy. The Chairman presented a proclamation.

Legislative; Presentations by the Public. The following persons spoke on topics as identified:

Patricia Kurpiel - Parks & Recreation Bond Funding.

- Transportation Bond Funding.

Cecelia Kirkman - Bond referendum.

<u>Legislative</u>; <u>Presentations and Committee Reports by Board Members</u>. Board members spoke on topics as identified:

Mr. Crisp

- Birth of sixth grandchild.
- George Washington Home Foundation at Ferry Farm.
- Bond Referendum Committee meetings.
- Rappahannock Regional Solid Waste Management Board Civil War Sites.
- 150th year anniversary of Civil War.
- Announced Moncure Conway Foundation event on September 20, 2008.

Mr. Dudenhefer

Removed Agenda Item # 14 from the Consent Agenda.

Mr. Milde

- Underground Railroad.
- Ferry Farm Discovery Days on July 4, 2008.
- Potomac Watershed Roundtable.
- Prince William County.
- Civil War Anniversary.
- Rappahannock Regional Solid Waste Management Board Civil War sites.
- Senior citizens issues at the Rowser Building.
- Toured Public Safety Building with Rob Brown.
- New Stafford Hospital tour.
- Regional baseball tournament.
- Attended Days Inn ribbon cutting.
- Business and Occupational License Tax.
- Trust for Crows Nest.
- Attended meeting with Company 2.
- Base Realignment and Closure Act.

- "National Night Out" activities.
- Habitat for Humanity.
- Meeting with Congressman Whitman.
- Northrop Grumman.
- GEICO expansion.
- Virginia Railway Express.
- Litigations and expenses.

Mr. Sterling - Lake Arrowhead dams.

- Quantico development rights.

Mr. Woodson - Finance Committee meeting.

- Base Realignment and Closure Act.

Fire Station #1/Rescue Station #2 issues.

- Fredericksburg Metropolitan Planning Organization.

- Ferry Farm HOA/stormwater issues.

- Department of Social Services.

- BAE opening.

Mr. Brito - GEICO expansion.

Warrenton Road Wal-mart bids.

- New Stafford Hospital tour.

- Regional Elected Officials meeting

- "National Night Out" activities.

- Austin Ridge Homeowners Association meeting.

Mr. Milde

continued - Purchase of development rights.

Mr. Schwartz - Attended Fredericksburg Fair on Hero's Day.

Central Rappahannock Regional Library.

- Attended meeting with Virginia Railway Express Operations Board.
- GEICO expansion.

<u>Legislative</u>; <u>Report of the County Attorney</u>. Mr. Joe Howard, County Attorney, distributed revised Closed Meeting regarding Ward Corporation litigation.

<u>Legislative</u>; <u>Report of the County Administrator</u>. Mr. Michael Neuhard, Deputy County Administrator, presented the following:

- Order of the Agenda to be changed
- Water levels in reservoirs.
- HB3202 is on track.
- Addition: Discuss Commonwealth Attorney's Office possible relocation.
- County Administrator on vacation.

<u>Legislative</u>; <u>Closed Meeting Addition</u>. Mr. Milde motioned, seconded by Mr. Brito, to add an item for discussion regarding the relocation of the Commonwealth Attorney.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz,

Nay: (0)

Mr. Milde motioned, seconded by Mr. Brito, to move the Closed Meeting to after Item #18.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Mr. Sterling motioned, seconded by Mr. Milde, to move Item #32 after Item #40.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

<u>Legislative</u>; <u>Consent Agenda.</u> Mr. Brito motioned, seconded by Mr. Woodson, to adopt the Consent Agenda consisting of Items 1 thru 16, omitting Items 7, 10, 13 and 14.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

<u>Item 1. Legislative; Approve Minutes of Board Meeting.</u> Regular Meetings of June 17, 2008 and July 1, 2008.

<u>Item 2. Budget and Finance; Approve Expenditure Listing</u>

Resolution R08-417 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JULY 2, 2008 THROUGH AUGUST 18, 2008

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008 that the above-mentioned EL be and it hereby is approved.

Item 3. Legislative; Approve a Proclamations.

Proclamation P08-12 reads as follows:

A PROCLAMATION TO RECOGNIZE THE SHERIFF'S OFFICE FOR OBSERVING "NATIONAL NIGHT OUT 2008" IN STAFFORD

WHEREAS, the National Association of Town Watch sponsored a nationwide crime, drug and violence prevention program on August 5 called "National Night Out 2008"; and

WHEREAS, the 25th annual "National Night Out" provided a unique opportunity for Stafford to join forces with thousands of localities across the Nation to promote cooperative crime prevention efforts by law enforcement personnel and the community; and

WHEREAS, Sheriff Charles Jett urged citizens to turn on their porch lights the evening of Tuesday, August 5th, and citizens held block parties with their neighbors to discuss anti-crime strategies and form neighborhood watch groups; and

WHEREAS, Sheriff's deputies and McGruff the Crime Dog visited neighborhoods to educate citizens about police-community partnerships and to emphasize the impact that their participation and vigilance can have on reducing crime, drugs and violence in the County; and

WHEREAS, the Board plays a vital role in assisting the Stafford Sheriff's Office with joint crime, drug and violence prevention efforts throughout the year, and enthusiastically endorses "National Night Out" events every year; and

WHEREAS, the Board commends the Sheriff's staff for their dedication and commitment to ensure the security of each resident the County, and provide a place where families and visitors alike can live, work and play safely;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the Sheriff's Office be and it hereby is recognized for observing "National Night Out 2008" in Stafford.

Proclamation P08-10 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND THE MITRE CORPORATION FOR 50 YEARS OF SERVICE

WHEREAS, in 1958, the nonprofit, independent MITRE Corporation was established as an offshoot of the Lincoln Laboratory at the Massachusetts Institute of Technology to serve as a trusted, unbiased partner to provide professional technical expertise in systems engineering and integration; and

WHEREAS, as a federally funded research and development center doing business strictly for the government, the MITRE Corporation works for the public interest by drawing on the expertise and industry practices of both the commercial and public sectors to solve the nation's most difficult technical problems; and

WHEREAS, in 1994, the MITRE Corporation established an office with only four technical staff on Marine Corps Base Quantico to increase its presence and provide more immediate support to the Marine Corps; and

WHEREAS, the MITRE Corporation office has grown to 58 engineers, scientists, researchers, analysts and support staff providing a wide range of research, development and engineering expertise to the Marine Corps Combat Development Command,

Headquarters Marine Corps, Marine Corps Systems Command and Program Executive Office for Land Systems; and

WHEREAS, MITRE Corporation has been a proud member of the Northern Virginia and Marine Corps Base Quantico communities for more than 14 years, and plans to continue its vital endeavors as it relocates to new offices at the Quantico Corporate Center at Stafford; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the enthusiasm with which MITRE Corporation employees devote themselves to working for the public interest, while also contributing countless hours to serving the communities in which they work and live;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the MITRE Corporation be and it hereby is recognized and commended for its 50 years of service to the nation.

Proclamation P08-11 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND ELNORA A. PONDEXTER FOR HER SERVICE TO THE CITIZENS OF STAFFORD

WHEREAS, Elnora A. Pondexter has devoted her life to serving residents of the Widewater community in which she lives, as well as citizens throughout the County; and

WHEREAS, Elnora Pondexter was appointed to serve on the Stafford County Social Services Board in April 1993; and

WHEREAS, Elnora Pondexter is recognized by staff as a compassionate individual who is a tireless advocate for individuals and families, demonstrating the belief that it is the government's responsibility, within reason, to offer aid to anyone in need; and

WHEREAS, Elnora Pondexter is an exceptionally devoted congregant of the Oak Grove Baptist Church in Widewater, serving as Chaplain for the Deaconess Ministry, President of the Ushers Ministry and Advisor for the Missionary Ministry; and

WHEREAS, at the state level, Elnora Pondexter has served as President of the Progressive National Baptist Convention Ushers Department; President of the Baptist General Convention of Virginia Division of Women, Area L, District 1, for six years; and Vice President At Large of the Baptist General Convention of Virginia Women and Health Ministry, Area J, for two years; and

WHEREAS, Elnora Pondexter has sponsored community service fairs at her church to provide information about local and regional social services programs, and she and her husband, Percy, transport people to the appropriate agencies to sign up for benefits and access services; and

WHEREAS, Elnora Pondexter is a life member of the Stafford Chapter of the National Association for the Advancement of Colored People, and was elected as the group's president for 16 years; and

WHEREAS, Elnora Pondexter holds a lifetime membership in the Widewater Volunteer Fire Department where she served in the Women's Division and worked as an emergency medical technician for ten years; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the compassion and joy with which Elnora Pondexter has spent her life in service to the citizens of Stafford;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that Elnora A. Pondexter be and she hereby is recognized and commended for her dedication to men, women and children who need a helping hand.

Item 4. Utilities; Authorize Renewal of a Contract for an Odor Control Chemical.

Resolution R08-397 reads as follows:

A RESOLUTION TO AUTHORIZE A CONTRACT AMENDMENT FOR AN ODOR CONTROL CHEMICAL

WHEREAS, the Department of Utilities uses an odor control chemical to eliminate hydrogen sulfide generation at a number of its wastewater pump stations and in the wastewater collection system; and

WHEREAS, the existing contract contains provisions for renewal for up to four (4) additional one year periods; and

WHEREAS, funds have been appropriated in the FY2009 Facilities Maintenance Operating Budget for the purchase of an odor control chemical;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the County Administrator be and he hereby is authorized to execute a contract with Basic Chemical Solutions to provide Custom Blended Alkali CBA-45 for odor control in an amount not to exceed \$437,500 in FY2009.

Item 5. Utilities; Authorize Renewal of a Contract for Water Meters and Accessories.

Resolution R08-398 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR THE PURCHASE OF WATER
METERS AND ACCESSORIES

WHEREAS, the Department of Utilities needs to purchase water meters and accessories; and

WHEREAS, the Board has appropriated funds in the FY2009 Operating Budget for these purchases; and

WHEREAS, Sensus Metering Systems, Inc. is the sole supplier for the water meters and accessories used by the County for its automated meter reading system;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the County Administrator be and he hereby is authorized to execute a contract with Sensus Metering Systems, Inc. in an amount not to exceed Two Hundred Thirty-five Thousand Five Hundred Twenty-two Dollars (\$235,522) extending the contract for the purchase of water meters and accessories through June 30, 2009.

Item 6. Utilities; Authorize Renewal of Contracts for Water and Sewer Maintenance and Construction Services for FY2009.

Resolution R08-399 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE CONTRACT AMENDMENTS FOR WATER AND
SEWER MAINTENANCE AND CONSTRUCTION SERVICES

WHEREAS, the Department of Utilities periodically needs the services of outside contractors to perform water and sewer maintenance and construction projects that are beyond the capabilities of County resources; and

WHEREAS, funds have been appropriated in the FY2009 Operating and Capital Improvements budgets for this purpose; and

WHEREAS, the current contracts for these services provide for up to four oneyear extensions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the County Administrator be and he hereby is authorized to execute contract amendments with Kruckenberg Service Company in an amount not to exceed Five Hundred Ten Thousand Dollars (\$510,000); W. C. Spratt, Inc. in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); and Patterson Construction Company in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) to continue to provide water and sewer maintenance and construction services for the County during FY2009.

Item 8. Transportation; Execute a County-State Agreement with VDOT, Appropriate Transportation Impact Fee Funds and Issue a Request for Proposal for the Engineering of a Two-Lane Reconstruction Project of Poplar Road from Warrenton Road to Truslow Road.

Resolution R08-422 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A COUNTY-STATE AGREEMENT WITH THE VIRGINIA
DEPARTMENT OF TRANSPORTATION, APPROPRIATE
TRANSPORTATION IMPACT FEE FUNDS, AND ISSUE A REQUEST
FOR PROPOSALS FOR THE ENGINEERING OF A TWO-LANE
RECONSTRUCTION PROJECT OF POPLAR ROAD FROM WARRENTON
ROAD TO TRUSLOW ROAD

WHEREAS, since July 2003, the County has been collecting transportation impact fees in the Central West Impact Fee Service Area; and

WHEREAS, the two-lane reconstruction of Poplar Road (SR-616), from Warrenton Road (US-17) to Truslow Road (SR-652), is a road improvement project identified as being funded by transportation impact fee revenues; and

WHEREAS, on July 1, 2008, the Central West Impact Fee Service Area Fund Balance equaled \$2,166,412 (unaudited); and

WHEREAS, the estimated cost of the road improvement project is approximately \$1,800,000; and

WHEREAS, it is the desire of the Board to locally administer the road improvement project thus requiring the execution of a County-State Agreement with the Virginia Department of Transportation; and

WHEREAS, to facilitate the local administration of the project, it is necessary to retain professional engineering services for the design of the road improvement project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the County Administrator be and he hereby is authorized to execute a County-State Agreement with the Virginia Department of Transportation for a two-lane reconstruction project of Poplar Road from Warrenton Road to Truslow Road; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to appropriate One Million Eight Hundred Thousand Dollars (\$1,800,000) in the Central West Transportation Impact Fee Fund for a two-lane reconstruction project of Poplar Road from Warrenton Road to Truslow Road; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to issue a Request for Proposals for the engineering of a two-lane reconstruction project of Poplar Road from Warrenton Road to Truslow Road; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to issue an Request for Proposals for the project under the Public/Private Transportation Act (PPTA) Guidelines.

<u>Item 9. Utilities; Authorize a Contract for Construction of the Rocky Pen Run Raw</u> Waterline.

Resolution R08-424 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR CONSTRUCTION OF THE ROCKY PEN
RUN RAW WATER LINE

WHEREAS, the Board desires to construct the Rocky Pen Run Reservoir project; and

WHEREAS, design of the water line necessary to transfer water from the river intake pumping station to the reservoir was completed and offered for public bids; and

WHEREAS, fourteen bids were received, with the bid offered by W. C. Spratt, Inc. being the lowest at \$674,976; and

WHEREAS, staff has determined that W. C. Spratt, Inc. is the lowest responsive bidder with a bid of \$674,976; and

WHEREAS, sufficient funds are budgeted for this contract;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the County Administrator be and he hereby is authorized to execute a contract with W. C. Spratt, Inc. in an amount not to exceed Six Hundred Seventy-four Thousand Nine Hundred Seventy-six Dollars (\$674,976) for construction of the Rocky Pen Run Raw Water Line.

<u>Item 11. Legislative; Reaffirm Authorization for Virginia Retirement System Member</u> Contribution to Comply with New Internal Revenue Service Ruling.

Resolution R08-425 reads as follows:

A RESOLUTION TO AFFIRM AUTHORIZATION TO PICK-UP THE EMPLOYEE'S CONTRIBUTION TO VRS FOR STAFFORD COUNTY, 66189 UNDER § 414 (h) OF THE INTERNAL REVENUE CODE

WHEREAS, the County provides its employees with tax deferral pursuant to § 414(h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System (referred to as VRS) by picking up member contributions to VRS; and

WHEREAS, VRS keeps track of such picked up member contributions, and treats such contributions as employee contributions for all purposes of VRS; and

WHEREAS, the Internal Revenue Service in Notice 2006-43 has provided transition relief for existing pick up arrangements provided that an authorized person takes formal action to evidence the establishment of the pick-up arrangement no later than January 1, 2009; and

WHEREAS, in order to avail itself of the protection given under Notice 2006-43, the County desires to affirm its intention to establish and maintain a pick-up arrangement through formal action by its governing body;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008 that the existing member contribution pick-up arrangement is hereby affirmed as it relates to salary reduction elections in effect prior to the date of this Resolution; and

BE IT FURTHER RESOLVED that effective the first pay day on or after August 19, 2008, the County shall pick up member contributions of its employees to VRS, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and

BE IT STILL FURTHER RESOLVED that such contributions, although designated as member contributions, are to be made by the County in lieu of member contributions; and

BE IT STILL FURTHER RESOLVED that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

BE IT STILL FURTHER RESOLVED that member contributions made by the County under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT STILL FURTHER RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the County directly instead of having them paid to VRS; and

BE IT STILL FURTHER RESOLVED that notwithstanding any contractual or other provisions, the contributions of each member of VRS who is an employee of the County shall be picked up either through a reduction in the current salary of such employee or as an offset against future salary increases of such employee or as a combination of both at the option of the employer by the County on behalf of such employee pursuant to the foregoing resolutions.

Item 12. Budget and Finance; Budget and Appropriate Proffer Fund Proceeds.

Resolution R08-421 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE PROFFER FUND PROCEEDS

WHEREAS, proffers totaling \$2,473 are available for jails which can be used to offset the County's share of debt service related to the jail expansion; and

WHEREAS, proffers totaling \$25,698 are available for libraries which can used for the Falls Run Library project; and

WHEREAS, proffers totaling \$7,735 are available for the government center and general government which can be used for the Courthouse basement renovation project; and

WHEREAS, proffers totaling \$27,184 are available for Fire & Rescue which can be used for the Station Number Two project; and

WHEREAS, proffers totaling \$1,607 are available for monitoring and preserving water quality which can be used for the Rocky Pen Run Reservoir project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the County Administrator be and he hereby is authorized to budget and appropriate funds as follows:

GENERAL FUND

Corrections	\$ 2,473
Transfer to Other Funds	<u>\$62,224</u>
	\$64,697

OTHER FUNDS:

GENERAL CAPITAL PROJECTS FUND	\$60,617
UTILITIES FUND	\$ 1,607
	\$62,224

<u>Item 15. Legislative; Appoint Members to Boards, Authorities, Commissions and</u> Committees.

Resolution R08-393 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE POLICY BOARD OF THE RAPPAHANNOCK AREA ALCOHOL SAFETY ACTION PROGRAM

WHEREAS, the Board, on the 6th day of February, 1990, by Resolution R90-130, joined the local jurisdictions in Planning District 16 in the implementation of the Independent Local Policy Directive of the VASAP Commission and established a local independent board to administer the Alcohol Safety Action Program (ASAP) in Planning District 16; and

WHEREAS, the governing body of each participating locality shall have one member appointed by the locality's Board for a period of three years; and

WHEREAS, the Board has appointed the following:

<u>NAME</u> <u>EXPIRATION</u>

Harry Johnston July 1, 2008

WHEREAS, the term of Harry Johnston expired on July 1, 2008; and

WHEREAS, it is the desire of the Board to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that

<u>NAME</u> <u>EXPIRATION</u>

Harry Johnston July 1, 2011

be and he hereby is appointed to the Policy Board of the Rappahannock Area Alcohol Safety Action Program.

Resolution R08-392 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF STAFFORD AND THE CITY OF STAUNTON, VIRGINIA, ("THE AUTHORITY")

WHEREAS, the Industrial Development Authority of the County of Stafford and the City of Staunton, Virginia, ("The "Authority"), was established by Ordinance O03-34 on June 3, 2003, by the Board; and

WHEREAS, a total of seven (7) Directors are to be appointed initially for staggered terms of four (4) years and subsequent terms shall be four years; and

WHEREAS, one of the four positions will be a "rotating seat" that was filled by the County in its initial first four-year term; and

WHEREAS, the City of Staunton will appoint three individuals to The Authority and was entitled to fill the rotating seat in its second four-year term;

WHEREAS, the Board has previously appointed the following:

NAME:	EXPIRATION:
Tibor Baksy, Jr. (Member-at-Large)	June 30, 2009
James McMath (Member-at-Large)	June 30, 2008
(VACANT) (Member-at-Large – Rotating)	June 30, 2007
Terry Payne (Member-at-Large)	June 30, 2010

WHEREAS, the term of James McMath expired on June 30, 2008; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that

NAME: EXPIRATION:

James McMath June 30, 2012

(Member-at-Large)

be and he hereby is appointed to the Industrial Development Authority of the County of Stafford and the City of Staunton, Virginia.

Item 16. Transportation; Reaffirm Resolution R04-172, dated June 1, 2004, Petitioning VDOT to Accept England Run Lane into the Secondary System of State Highways through the Rural Addition Program.

Resolution R08-206 reads as follows:

A RESOLUTION TO REAFFIRM RESOLUTION R04-172, WHICH
PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION
TO ACCEPT ENGLAND RUN LANE INTO THE SECONDARY
SYSTEM OF STATE HIGHWAYS THROUGH THE RURAL
ADDITION PROGRAM

WHEREAS, the Virginia Department of Transportation (VDOT) has deemed that the County's current subdivision ordinance meets all necessary requirements of the Rural Addition Program requirements to recommend additions to the Secondary System of State Highways, pursuant to Section 33.1-72.1, of the Code of Virginia (1950), as amended; and

WHEREAS, after examining the ownership of all property abutting this street, the Board has determined that speculative interest does not exist; and

WHEREAS, England Run Lane has been built and in public use prior to July 1, 1992; and

WHEREAS, England Run Lane is available for public use 24 hours a day;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the Board be and it hereby does reaffirm Resolution R04-172, dated the 1st day of June 2004, petitioning the Virginia Department of Transportation to include the following street into the Secondary System of State Highways through the Rural Addition Program:

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right-of-way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

<u>Street</u>	<u>Station</u>	<u>Length</u>
England Run Ln. (SR-798)	From: Inter. Sanford Dr. (SR-670)	0.15 Mi.
	To: 0.15 Mi. S. of Sanford Dr. (SR-670)	40'-100' ROW

England Run Ln. (SR-798) From: 0.15 Mi. S. of Sanford Dr. (SR-670) 0.03 Mi. To: 0.18 Mi. S. of Sanford Dr. (SR-670) 40'-100' ROW

England Run Ln. (SR-798) From: 0.15 Mi. S. of Sanford Dr. (SR-670) 0.31 Mi. To: 0.46 Mi. S.W. of Sanford Dr. (SR-670) 40'-100' ROW An unrestricted right-of-way (ROW), as indicated above, for this street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Land Records:

INSTRUMENT NUMBER	DATE RECORDED
LR990007917	April 14, 1999
LR990007918	April 14, 1999
LR990007919	April 14, 1999
LR990007920	April 14, 1999
LR990007921	April 14, 1999
LR990007922	April 14, 1999
LR990007923	April 14, 1999
LR990007924	April 14, 1999
LR990007925	April 14, 1999
LR990007926	April 14, 1999
LR990007927	April 14, 1999
LR990007928	April 14, 1999
LR970016696	November 4, 1997
LR970016697	November 4, 1997
LR960005555	April 24, 1996
LR960007048	May 22, 1996

BE IT FURTHER RESOLVED that the Board requests the Virginia Department of Transportation improve England Run Lane to the prescribed minimum standards, funding said improvements, pursuant to Section 33.1-72 (D), Code of Virginia (1950), as amended; and

BE IT STILL FURTHER RESOLVED that a certified copy of this resolution be forwarded to the VDOT Residency Administrator.

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Public Services; Authorize Renewal of a Contract for Landscaping and Mowing at

Various County Facilities. Mr. Sterling commented.

Mr. Sterling motioned, seconded by Mr. Brito, to approve proposed Resolution R08-390.

The Voting Board tally was:

Yea: (7) Woodson, Bri

Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-390 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO RENEW A CONTRACT FOR LANDSCAPING AND MOWING AT

VARIOUS COUNTY FACILITIES

WHEREAS, the Department of Public Services, Property Management Division,

desires the services of outside contractors to perform landscaping and mowing services at

several County facilities;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 19th day of August 2008, that the County Administrator be and he

hereby is authorized to execute a contract with Corner Garden Center in an amount not to

exceed One Hundred Thirty-five Thousand One Hundred Eighty Dollars (\$135,180).

Public Services; Authorize a Contract for Courthouse Basement Renovations. Mr.

Sterling commented.

Mr. Sterling motioned, seconded by Mr. Brito, to approve proposed Resolution R08-423

with a request that remainder of the Courthouse Renovation Project budget, in the amount

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of \$433,639, shall be considered by the Board after receiving a detailed budget and

before any further expenditures are authorized.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-423 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO AWARD A CONTRACT FOR THE COURTHOUSE BASEMENT

RENOVATIONS

WHEREAS, the County desires to renovate the basement of the Courthouse

(formerly the Sheriff's Department offices); and

WHEREAS, the area will be renovated to include one multi-use courtroom, jury

assembly room, jury deliberation room with restrooms, on-site filing rooms judge's

chambers, and secured access for prisoners; and

WHEREAS, HVC-Chenault has completed the design and engineering for the

renovations and the project was bid; and

WHEREAS, the lowest and most responsive bidder was Warren Flynn

Construction at a cost not to exceed \$1,328,384;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 19th day of August 2008, that the County Administrator be and he

hereby is authorized to execute a contract with Warren Flynn Construction in an amount

not-to-exceed One Million Three Hundred Twenty-eight Thousand Three Hundred

Eighty-four Dollars (\$1,328,384); and

BE IT FURTHER RESOLVED that the remainder of the Courthouse Renovation Project budget, in the amount of \$433,639, shall be considered by the Board after receiving a detailed budget and before any further expenditures are authorized.

Item 13. Budget and Finance; Authorize a Public Hearing to Consider Participating in the Fall 2008 VPSA School Bond Sale and to Budget and Appropriate the Bond Proceeds. Mr. Sterling commented.

Discussion ensued.

Mr. Crisp motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-429.

Discussion further ensued.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Resolution R08-429 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER PARTICIPATION IN THE FALL 2008 VIRGINIA PUBLIC SCHOOL AUTHORITY BOND SALE AND TO BUDGET AND APPROPRIATE THE BOND PROCEEDS

WHEREAS, the Board has received a request from the Superintendent of the Stafford County Public Schools to contract a debt and issue General Obligation Bonds of the County in the maximum amount of \$4,480,000 in one or more series to finance

certain capital improvements for public school purposes (the "Bonds") and to sell such bonds to the Virginia Public School Authority ("VPSA"); and

WHEREAS, the Board of Supervisors has determined that it may be necessary or desirable to advance money to pay the costs for such capital projects for public school purposes (the "Projects") and to reimburse such advances with proceeds of one or more financings.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors:

- 1. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150.2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County or the School Board of the County of Stafford, Virginia, to pay the costs of acquiring, constructing, and equipping the Projects from the proceeds of the Bonds to be issued in the maximum amount of \$4,480,000.
- 2. The County Administrator is authorized to advertise a public hearing to be held on September 16, 2008 on the issuance of the Bonds and on budgeting an appropriating the proceeds.
- 3. This resolution shall take effect immediately upon its adoption.

Budget and Finance; Budget and Appropriate Landfill Dividends for a Civil War Historic Site Project. Mr. Dudenhefer commented.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-430 with a change for the funds to be applied to the Fire and Rescue Budget.

Discussion ensued.

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Mr. Brito made a substitute motion, seconded by Mr. Woodson to approve proposed

Resolution R08-430 with a change for the funds to be applied to the General Fund.

Discussion further ensued.

Mr. Milde made a second substitute motion, seconded by Mr. Crisp to defer indefinitely

proposed Resolution R08-430 and requested staff report back within two months

regarding the civil war site.

The Voting Board tally was:

Yea: (6)

6) Woodson, Brito, Crisp, Milde, Schwartz, Sterling

Nay: (1)

(1) Dudenhefer

<u>Legislative</u>; <u>Discuss Transportation Bond Referendum</u>. Mr. Sterling commented.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to approve proposed Resolution

R08-437 with additional changes to request that the new Administration Building Tignor

Building be removed from the CIP, revenue to the Transportation Fund be dedicated to

finance the Transportation Bond and no General Funds monies to be used, to remove the

Animal shelter and the Airport Fire Station #13.

Discussion further ensued

Ms. Bonnie France, Bond Counsel, commented further.

Mr. Sterling withdrew the motion.

Mr. Dudenhefer withdrew the second to the motion.

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Mr. Sterling motioned, seconded by Mr. Dudenhefer, to approve proposed Resolution R08-437.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to call the question.

The Voting Board tally on the call the question was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

The Voting Board tally on the motion was:

Yea: (4) Dudenhefer, Sterling, Brito, Crisp

Nay: (3) Milde, Schwartz, Woodson

Resolution R08-437 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE QUESTION OF ISSUING \$70.0 MILLION IN GENERAL OBLIGATION BONDS OF THE COUNTY OF STAFFORD, VIRGINIA TO FINANCE VARIOUS TRANSPORTATION IMPROVEMENT PROJECTS

WHEREAS, the Board of Supervisors ("Board") of the County of Stafford, Virginia ("County") has determined that it is advisable to contract a debt and to issue general obligation bonds of the County in the maximum amount of \$70.0 Million (the "Bonds") for the purpose of financing the acquisition and construction of certain transportation improvements ("Projects"); and

WHEREAS, pursuant to the authority granted by Title 15.2, Chapter 26, Code of Virginia of 1950, as amended, known and cited as the Public Finance Act of 1991 ("Act"), the Board proposes to call a special election to take the sense of the qualified voters of the County on the following question regarding the issuance of such general obligation bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA:

- 1. The Board hereby determines that it is advisable to contract a debt and to issue general obligation bonds of the County in the amount set forth below and for the purpose of paying the costs, in whole or in part, of the Projects.
- 2. The Board hereby requests the Circuit Court of Stafford County, Virginia to order a special election on November 4, 2008 on the following question pursuant to Sections 15.2-2610 and 15.2-2611 of the Act, provided that such date is at least sixty (60) days after the date on which the Court enters its order. The question on the ballot shall be in substantially the following form:

SPECIAL ELECTION

November 4, 2008

QUESTION: Shall Stafford County, Virginia contract a debt and issue its general obligation bonds in the maximum amount of Seventy Million Dollars (\$70,000,000) for the purpose of paying the costs, in whole or in part, of the following transportation improvement projects:

- (1) Warrenton Road (Route 17); (2) Garrisonville Road (Route 610);
- (3) Ferry Road (Route 606); (4) Courthouse Road (Route 630);
- (5) Truslow Road (Route 652); (6) Telegraph Road (Route 637);
- (7) Courthouse Road (Route 630) Railroad Bridge; (8) Pedestrian

improvements; (9) Kellogg Mill Road (Route 651); and (10) Youth Driver Task Force "Hot Spot" Traffic Safety Improvements: (a) Jefferson Davis Highway (U.S. Route 1); (b) Brooke Road (Route 608); (c) Poplar Road (Route 616); (d) Mountain View Road (Route 627); and (e) Rock Hill Church Road (Route 644)?

() YES () NO

- 3. The County Administrator is instructed to file a certified copy of this Resolution with the Circuit Court of Stafford County, Virginia.
- 4. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of the Projects from the proceeds of its debt or other financing. The maximum amount of debt or other financing expected to be issued for the Projects is set forth above.
 - 5. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a resolution adopted by the Board of Supervisors of the County of Stafford, Virginia at a regular meeting held on the 19th day of August, 2008.

Clerk, Board of Supervisors of the County of Stafford, Virginia

[SEAL]

<u>Legislative</u>; <u>Discuss Parks and Recreation Bond Referendum.</u> Mr. Sterling commented.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to approve proposed Resolution R08-438 with the following amendments: Change the date to November 3, 2009 in paragraph 2 and add #6. The Board further directs that the property at 75 Stafford Indian Lane be named Chichester Park and the property at 750 Truslow Road be named Musselman Park. Mr. Sterling also requested that the \$36M Indoor Recreation Center be removed from the CIP.

Mr. Milde made a substitute motion, seconded by Mr. Crisp to approve proposed Resolution R08-438 with all of Mr. Sterling's amendments with an addition of removing the indoor pool.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Crisp to call the question.

The Voting Board tally on the call the question was:

Yea: (7) Brito, Crisp, Sterling, Dudenhefer, Milde, Schwartz, Woodson

Nay: (0)

The Voting Board tally on the substitute motion was:

Yea: (5) Brito, Crisp, Sterling, Dudenhefer, Milde

Nay: (2) Schwartz, Woodson

Resolution R08-438 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD REQUESTING THE CIRCUIT COURT TO ORDER A SPECIAL ELECTION ON THE QUESTION OF ISSUING \$24.0 MILLION IN GENERAL OBLIGATION BONDS OF THE COUNTY OF STAFFORD, VIRGINIA TO FINANCE VARIOUS PARKS AND RECREATION PROJECTS

WHEREAS, the Board of Supervisors ("Board") of the County of Stafford, Virginia ("County") has determined that it is advisable to contract a debt and to issue general obligation bonds of the County in the maximum amount of \$24.0 Million (the "Bonds") for the purpose of financing the acquisition, construction, and equipping of certain parks and recreation improvements ("Projects"); and

WHEREAS, pursuant to the authority granted by Title 15.2, Chapter 26, Code of Virginia of 1950, as amended, known and cited as the Public Finance Act of 1991 ("Act"), the Board proposes to call a special election to take the sense of the qualified voters of the County on the following question regarding the issuance of such general obligation bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA:

- 1. The Board hereby determines that it is advisable to contract a debt and to issue general obligation bonds of the County in the amount set forth below and for the purpose of paying the costs, in whole or in part, of the Projects.
- 2. The Board hereby requests the Circuit Court of Stafford County, Virginia to order a special election on November 3, 2009 on the following question pursuant to Sections 15.2-2610 and 15.2-2611 of the Act, provided that such date is at least sixty (60) days after the date on which the Court enters its order. The question on the ballot shall be in substantially the following form:

SPECIAL ELECTION

November 3, 2009

QUESTION: Shall Stafford County, Virginia contract a debt and issue its general obligation bonds in the maximum amount of Twenty-Four Million Dollars (\$24,000,000) for the purpose of paying the costs, in whole or in part, of the following parks and recreation projects:

(1) Development of 75 Stafford Indians Lane for athletic fields, trails, playground and related facilities; (2) Development of 750 Truslow Road for athletic fields, trails, playground and related facilities; (3) Acquisition of additional land for parks, athletic fields and recreation facilities; (4) Development of land for athletic fields, trails, playground and related facilities; and (5) Renovation of existing County-owned park facilities?

() YES () NO

- 3. The County Administrator is instructed to file a certified copy of this Resolution with the Circuit Court of Stafford County, Virginia.
- 4. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of the Projects from the proceeds of its debt or other financing. The maximum amount of debt or other financing expected to be issued for the Projects is set forth above.
 - 5. This Resolution shall take effect immediately.

The Board of Supervisors further directs that the property at 75 Stafford Indians Lane be named Chichester Park, and the property at 750 Truslow Road be named Musselman Park.

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a Resolution adopted by the Board of Supervisors of the County of Stafford, Virginia at a regular meeting held on the 19th day of August, 2008.

Clerk, Board of Supervisors of the County of Stafford, Virginia

[SEAL]

Recess. At 2:57 P. M., the Chairman declared a recess.

<u>Call to Order.</u> At 3:13 P. M. the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Discuss HB3202</u>. Mr. Brito commented.

Discussion ensued.

Hearing no objections from the Board, a committee of Mr. Brito and Mr. Milde was formed.

<u>Legislative</u>; <u>Closed Meeting</u>. At 3:16 P.M., Mr. Woodson motioned, seconded by Mr. Milde, to adopt proposed Resolution CM08-17.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution CM08-17 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and

discuss in Closed Meeting Legal Advice regarding the Drainfield Ordinance appeals and

pending litigation, Ward Corporation v. Board of Supervisors; and a Personnel matter

regarding hiring of outside counsel; and

WHEREAS, pursuant to Section 2.2-3711 A.1, and A.7 Va. Code Ann., such

discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors,

on this the 19th day of August, 2008, does hereby authorize discussions of the aforestated

matters in Closed Meeting.

Call to Order. At 3:53 P. M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Milde motioned, seconded by Mr. Woodson, to

adopt proposed Resolution CM08-17a.

The Voting Board tally was:

Yea:

Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito (7)

Nay: (0)

Resolution CM08-17a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD

COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON

AUGUST 19, 2008

WHEREAS, the Board has, on this the 19th day of August, 2008, adjourned into a

closed meeting in accordance with a formal vote of the Board and in accordance with the

provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July

1, 1989, provides for certification that such Closed Meeting was conducted in conformity

with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of

Supervisors does hereby certify, on this the 19th day of August, 2008, that to the best of

each member's knowledge: (1) only public business matters lawfully exempted from

open meeting requirements under the Virginia Freedom of Information Act were

discussed in the Closed Meeting to which this certification applies; and (2) only such

public business matters as were identified in the Motion by which the said Closed

Meeting was convened were heard, discussed, or considered by the Board. No member

dissents from the aforesaid certification.

Planning and Zoning; Refer an Amendment to the Zoning Ordinance to the Planning

Commission. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-413.

Discussion ensued.

The Voting Board tally was:

Yea: (6) Crisp, Dudenhefer, Schwartz, Sterling, Brito, Woodson

Nay: (1) Milde

Resolution R08-413 reads as follows:

A RESOLUTION TO REFER AN AMENDMENT OF THE COUNTY CODE TO THE PLANNING COMMISSION TO REGULATE ELECTRONIC SIGNS AND CERTIFICATION OF THE ZONING ORDINANCE BY VDOT

WHEREAS, due to advancement in technology, numerous strides have been made in the advertisement industry, especially with electronic signs; and

WHEREAS, the Zoning Ordinance prohibits any sign displaying, flashing, or intermittent lights, or lights of changing degrees of intensity, except a sign indicating time or temperature, which changes alternating on not less than a five-second cycle, or message board, when such sign does not constitute a public safety or traffic hazard; and

WHEREAS, the Board believes signs that present multiple views and objects that have realistic motion by changing of illumination and intensity constitutes a public safety or traffic hazard; and

WHEREAS, the Board desires to prohibit signs that have high-resolution color images, complex visual arrangements, rich variation in color, and a vast amount of images, similar to a television screen or computer monitor and multisided-vision signs; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of such an ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the Board be and it hereby does refer a County Code amendment to the Planning Commission that regulates electronic

signs and amends the zoning ordinance for certification by the Virginia Department of Transportation (VDOT); and

BE IT FURTHER RESOLVED that the Planning Commission be authorized to make changes as needed.

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for The Glens and Hills of Aquia.</u> Mr. Milde motioned, seconded by Mr. Woodson, to defer both issues.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Schwartz, Sterling, Brito, Woodson, Milde

Nay: (0)

<u>Planning and Zoning; Appeal the Director of Planning and Zoning Decision Regarding</u>
<u>Subdivision Vesting Status for Hills of Aquia</u>

Mr. Milde motioned, seconded by Mr. Woodson, to defer proposed Resolution R08-221.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Schwartz, Sterling, Brito, Woodson, Milde

Nay: (0)

Planning and Zoning; Appeals for the Director of Planning and Zoning Decision

Regarding Subdivision Vesting Status for Saint Andres on the Potomac; Poplar Hills,

Section 4 & 5; Churchill Meadows; Poplar Estates; Aquia Overlook, Sections 2 & 3;

Aquia Overlook, Section 3; Garrett Family Subdivision; River Creek; The Falls; Stafford

Manor; and The Glens. Mr. Jeff Harvey, Director of Planning and Zoning, gave a

presentation on these issues.

Mr. Sterling motioned, seconded by Mr. Woodson, to refer back to the Planning Director

the following: Poplar Hills, Section 4 & 5; Churchill Meadows; Poplar Estates; and

River Creek.

The Voting Board tally was:

Yea:

(7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay:

(0)

Mr. Clark Leming, on behalf of the applicants, gave a presentation on Saint Andrews on

the Potomac; Aquia Overlook, Sections 2 & 3; Aquia Overlook, Section 3; Garrett

Family Subdivision; The Falls; Stafford Manor; and The Glens and responded to Board

members questions.

Mr. Woodson motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-341.

Mr. Sterling made a substitute motion, seconded by Mr. Milde, to refer Saint Andrews on

the Potomac; Aquia Overlook, Sections 2 & #; Aquia Overlook Section 3; and the Falls

back to the Director of Planning.

Discussion ensued.

Mr. Brito made a second substitute motion to refer these issues to Mr. Bill Donnely for

review.

The motion dies for lack of a second to the motion.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-342; proposed Resolution R08-401; proposed Resolution R08-403; and proposed Resolution R08-405.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Crisp, Dudenhefer, Schwartz, Sterling, Milde

Nay: (2) Woodson, Brito

Resolution R08-342 reads as follows:

A RESOLUTION TO OVERRULE A DECISION BY THE DIRECTOR OF PLANNING AND ZONING REGARDING THE PRELIMINARY PLAN STATUS OF SAINT ANDREWS ON THE POTOMAC SUBDIVISION, GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for Saint Andrews on the Potomac was approved by the Planning Commission on February 1, 2006; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Subdivision Ordinance, Section 22-6 address the validity of preliminary subdivision plans; and

WHEREAS, the Director of Planning and Zoning has determined the validity for the preliminary subdivision plan for Saint Andrews on the Potomac and the applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning should be overruled;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning determining that the applicant shall comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable, be and it hereby is overruled, and the Saint Andrews on the Potomac preliminary subdivision plan and development of the residential lots, assuming they are all approved and recorded before the expiration of the validity of the approved preliminary plan, are exempt from compliance with Ordinances O08-05, O08-06, and O08-07.

Resolution R08-401 reads as follows:

A RESOLUTION TO OVERRULE A DECISION BY THE DIRECTOR OF PLANNING AND ZONING REGARDING THE PRELIMINARY PLAN STATUS OF AQUIA OVERLOOK, SECTIONS 2 & 3 SUBDIVISION, GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for Aquia Overlook, Sections 2 & 3 was approved by the Planning Commission on September 3, 2008; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Subdivision Ordinance, Section 22-6 address the validity of preliminary subdivision plans; and

WHEREAS, the Director of Planning and Zoning has determined the validity for the preliminary subdivision plan for Aquia Overlook, Sections 2 & 3 subdivision is extended until September 2, 2008 and the applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and

WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning should be overruled;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning determining that the applicant shall comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable, be and it hereby is overruled, and the Aquia Overlook, Sections 2 & 3 Preliminary Subdivision Plan and development of the residential lots, assuming they are all approved and recorded before the expiration of the validity of the approved preliminary plan, are exempt from compliance with Ordinances O08-06, and O08-07.

Resolution R08-403 reads as follows:

A RESOLUTION TO OVERRULE A DECISION BY THE DIRECTOR OF PLANNING AND ZONING REGARDING THE PRELIMINARY PLAN STATUS OF AQUIA OVERLOOK, SECTION 3 SUBDIVISION, GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for Aquia Overlook, Section 3 was approved by the Planning Commission on November 7, 2007; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Subdivision Ordinance, Section 22-6 address the validity of preliminary subdivision plans; and

WHEREAS, the Director of Planning and Zoning has determined the validity for the preliminary subdivision plan for Aquia Overlook, Section 3 subdivision is extended until November 6, 2008 and the applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and

WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning should be overruled;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning determining that the applicant shall comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable, be and it hereby is overruled, and the Aquia Overlook, Section 3 Preliminary Subdivision Plan and development of the residential lots, assuming they are all approved and recorded before the expiration of the validity of the approved preliminary plan, are exempt from compliance with Ordinances O08-06, and O08-07.

Resolution R08-405 reads as follows:

A RESOLUTION TO OVERRULE A DECISION BY THE DIRECTOR OF PLANNING AND ZONING REGARDING THE PRELIMINARY PLAN STATUS OF THE FALLS SUBDIVISION, HARTWOOD ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for The Falls was approved by the Planning Commission on August 27, 2004; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Subdivision Ordinance, Section 22-6 address the validity of preliminary subdivision plans; and

WHEREAS, the Director of Planning and Zoning has determined that the validity for the preliminary subdivision plan for The Falls is extended until August 26, 2009 and the applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and

WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning should be overruled;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning determining that the applicant shall comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable, be and it hereby is overruled, and The Falls Preliminary Subdivision Plan and development of the residential lots, assuming they are all approved and recorded before the expiration of the validity of the approved preliminary plan, are exempt from compliance with Ordinances O08-05, O08-06, and O08-07.

<u>Planning and Zoning</u>; Appeal the Director of Planning and Zoning Decision Regarding <u>Subdivision Vesting Status for The Glens – Drainfields.</u> Mr. Milde motioned, seconded by Mr. Dudenhefer to defer proposed Resolution R08-406. Discussion ensued.

The Voting Board tally was:

Yea: (6) Crisp, Dudenhefer, Schwartz, Sterling, Milde, Brito

Nay: (1) Woodson

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Garrett Family Subdivision – Drainfields.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation.

Mr. Milde motioned to approve proposed Resolution R08-416.

The motioned died for lack of a second to the motion.

Mr. Sterling made a motion, seconded by Mr. Dudenhefer, to defer this item to the next Board meeting.

Discussion ensued.

The Voting Board tally was:

Yea: (3) Dudenhefer, Sterling, Brito

Nay: (4) Woodson, Crisp, Schwartz, Milde

Mr. Sterling motioned, seconded by Mr. Milde, to approve proposed Resolution R08-416.

Discussion ensued.

The Voting Board tally was:

Yea: (3) Dudenhefer, Sterling, Milde

Nay: (4) Brito, Woodson, Crisp, Schwartz

Discussion further ensued.

Mr. Schwartz motioned, seconded by Mr. Woodson to approve proposed Resolution R08-415.

The Voting Board tally was:

Yea: (4) Brito, Woodson, Crisp, Schwartz

Nay: (3) Dudenhefer, Sterling, Milde

Resolution R08-415 reads as follows:

A RESOLUTION TO AFFIRM A DECISION BY THE DIRECTOR OF PLANNING AND ZONING REGARDING SUBDIVISION VESTING STATUS FOR GARRETT FAMILY SUBDIVISION, AQUIA ELECTION DISTRICT

WHEREAS, a family subdivision for the Garrett Family was approved by the Agent on April 24, 2007 and recorded on April 30, 2007; and

WHEREAS, the Director of Planning and Zoning has determined that permitting and construction of on-site systems on valid recorded lots must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and

WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-251 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning that Ordinances O08-06 and O08-07 apply to lots previously created by a final subdivision plat to the extent such application is practicable without altering the location or configuration of lot lines or prohibiting reasonable development on lots recorded prior to March 18, 2008, be and it hereby is affirmed. Applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable.

<u>Planning and Zoning</u>; <u>Appeal the Director of Planning and Zoning Decision Regarding</u> <u>Subdivision Vesting Status for Stafford Manor – Drainfields.</u> Mr. Brito motioned, seconded by Mr. Crisp, to approve proposed Resolution R08-408.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Brito, Woodson, Crisp, Schwartz, Milde

Nay: (2) Dudenhefer, Sterling

Mr. Milde motioned, seconded by Mr. Dudenhefer, to reconsider proposed Resolution R08-408.

The Voting Board tally was:

Yea: (5) Dudenhefer, Brito, Crisp, Schwartz, Milde

Nay: (2) Sterling, Woodson

Mr. Brito motioned, seconded by Mr. Crisp, to approve proposed Resolution R08-408.

The Voting Board tally was:

Yea: (4) Brito, Crisp, Schwartz, Woodson

Nay: (3) Sterling, Milde, Dudenhefer

Resolution R08-408 reads as follows:

A RESOLUTION TO AFFIRM A DECISION BY THE DIRECTOR
OF PLANNING AND ZONING REGARDING THE
PRELIMINARY PLAN STATUS OF STAFFORD MANOR
SUBDIVISION, HARTWOOD ELECTION DISTRICT

WHEREAS, a preliminary subdivision plan for Stafford Manor was approved by the Planning Commission on September 1, 2004; and

WHEREAS, Sections 15.2-2241(5) and 15.2-2260(f) of the Code of Virginia (1950), as amended, and Stafford County Subdivision Ordinance, Section 22-6 address the validity of preliminary subdivision plans; and

WHEREAS, the Director of Planning and Zoning has determined that the validity for the preliminary subdivision plan for Stafford Manor is extended until August 31, 2009 and the applicant must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such compliance is practicable; and

WHEREAS, the applicant has appealed the decision of the Director of Planning and Zoning pursuant to Section 22-6 of the Stafford County Subdivision Ordinance; and

WHEREAS, the Board has determined that the decision by the Director of Planning and Zoning is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the decision of the Director of Planning and Zoning determining that the validity of the preliminary plan for Stafford Manor is extended to August 31, 2009 and that Ordinances O08-06 and O08-07 apply to lots previously created by a final subdivision plat to the extent such application is

practicable without altering the location or configuration of lot lines, or prohibiting

reasonable development on lots recorded prior to March 18, 2008, or lots shown on

preliminary plats approved prior to such date, be and it hereby is affirmed. The applicant

must comply with the requirements of Ordinances O08-06 and O08-07 to the extent such

compliance is practicable.

Legislative; Discuss Sidewalks and Trails Mr. Tim Baroody, Director of Economic Development

gave a presentation and responded to Board members questions.

The Board requested an update on the Garrisonville Road Sidewalk Plan.

Hearing no objections from the Board, a committee of Mr. Milde and Mr. Brito was formed to

review the Government Island Project.

Legislative; Discuss Proposed Rappahannock River Overlay District. Mr. Milde commented

Discussion ensued.

Legislative; Discuss Outside Professional Assistance on the Comprehensive Plan. Mr. Milde

commented

Mr. Milde motioned, seconded by Mr. Sterling, requesting staff to contact Mike Chandler to see if

he can look into our Comprehensive Plan and wee what we have done and how much a review

will cost.

The Voting Board tally was:

Yea:

(3) Sterling, Milde, Dudenhefer

Nay:

(4) Brito, Crisp, Schwartz, Woodson

<u>Legislative</u>; <u>Discuss County Code Section 25-71 – Construction of Sanitary Sewers and Water</u>

Distribution Lines by Owners or Developers; General Provisions. Hearing no objections from the

Board this item was deferred.

Legislative; Discuss Campaign Finance Guidelines. Hearing no objections from the Board this

item was deferred.

Legislative; Discuss VRE Funding, Fares and Vouchers. Mr. Sterling commented.

Mr. Sterling motioned, seconded by Mr. Brito for staff to look at VRE funding and all possible

solutions.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Crisp to accept all possible solutions and also request the

General Assembly to help with the cost of the VRE and lowering costs for County residents who

ride, with staff to look into alternatives.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Woodson, to call the question.

The Voting Board tally on the call the question was:

Yea:

(5) Crisp, Dudenhefer, Milde, Schwartz, Woodson,

Nay:

(2) Sterling, Brito

The Voting Board tally on the substitute motion was:

Yea:

Sterling, Milde, Dudenhefer, Brito, Crisp, Schwartz, Woodson

Nay:

(0)

(7)

<u>Legislative</u>; <u>Discuss Privatization of Parks Maintenance</u>. Hearing no objections, this item was deferred to the next Board meeting.

Legislative; Discuss Revised Financial Policies. Mr. Woodson gave a committee report.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Milde to adopt proposed Resolution R08-446.

Discussion further ensued.

Mr. Sterling made a substitute motion, seconded by Mr. Milde, to approve the policy with the amendments that the schools receive an appropriate amount and that they also bring a budget back to the Board by March 7, 2009.

Discussion further ensued.

Mr. Brito made a substitute motion, seconded by Mr. Woodson for the schools to come back to the Board with recommendations in September.

The Voting Board tally on the substitute motion was:

Yea: (2) Crisp, Brito

Nay: (5) Milde, Dudenhefer, Sterling, Schwartz, Woodson

Mr. Woodson motioned, seconded by Mr. Milde, to reconsider.

The Voting Board tally on the reconsideration was:

Yea: (3) Crisp, Brito, Woodson

Nay: (4) Milde, Dudenhefer, Sterling, Schwartz

Mr. Dudenhefer motioned, seconded by Mr. Milde, for the original motion of approving the Financial Guidelines in proposed Resolution R08-446.

The Voting Board tally on the original motion was:

Yea: (5) Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (2) Crisp, Brito

Resolution R08-446 reads as follows:

A RESOLUTION TO AMEND THE PRINCIPLES OF HIGH PERFORMANCE FINANCIAL MANAGEMENT

WHEREAS, it is the desire of the Board to prudently manage the County's resources and this policy shall provide the guidelines; and

WHEREAS, the Board of Supervisors has reviewed and updated the "Principles of High Performance Financial Management" to reflect current County needs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008 that the "Principles of High Performance Financial Management", as contained herein, be and they hereby are adopted.

The Stafford County Board of Supervisors hereby establishes its *Principles of High Performance Financial Management* to prudently manage the people's resources through:

- Accountable and transparent allocation of resources.
- Planned strategic use of financial resources to ensure sustainability.
- Maintaining and upgrading the County's bond ratings.
- Balanced tax burden from residential and commercial sources.

DEBT LIMITATIONS

- General obligation debt shall not exceed 4.5% of the assessed valuation of taxable real property.
- General fund debt service expenditures (County and Schools) shall not exceed 12% of the general government budget.
- Capital lease debt service shall not exceed 2% of the general government budget with 2/3 allocated to the Schools and 1/3 allocated to the County. Capital lease debt may only be used if the following four criteria are met:
 - 1. Capital lease purchase is eligible under state law for such financing; and.
 - 2. Useful life of the purchase equals or exceeds the term of the debt; and,
 - 3. Total purchase exceeds \$100,000; and,
 - 4. Sufficient funds are available to service the capital lease debt.

<u>CAPITAL IMPROVEMENT PROGRAM (CIP) AND BONDED DEBT SERVICE</u> AFFORDABILITY GUIDELINES

- A five-year CIP allocating capital improvement funds between the Schools and General Government will be adopted annually.
- CIP projects will be no less than \$500,000 each.

Each year's available debt service will be established by increasing the prior year's actual debt service by the percentage of general fund revenue changes averaged over the last 5 years.

UNDESIGNATED FUND BALANCE

- The County shall maintain an undesignated fund balance that is not less than 10% of annual general fund revenues. Use of the undesignated fund balance below this amount will be restricted to only significant unexpected declines in revenues or unanticipated emergency expenditures. Following any use of undesignated fund balance, the County will replenish the undesignated fund balance within three fiscal years.
- Stafford County does not intend to establish a trend of using Fund Balance to finance current operations. As a nonrecurring source of revenue, any balance not needed for liquidity or financial cushion as noted above will be spent solely for nonrecurring uses. After the yearly audit and in consideration of current financial conditions, the Board of Supervisors may allocate amounts in excess of the minimum undesignated fund balance as follows:
 - 1. The School Operating Fund unspent unreserved (available) balance may be reappropriated annually to the School Board for capital, start-up or other nonrecurring expenditures.
 - 2. The County Operating Fund unspent unreserved (available) balance may be reappropriated annually to County departments for capital, start-up or other nonrecurring expenditures.
 - 3. The amount in excess of the minimum undesignated fund balance will be reserved for future capital projects divided equally between the Schools and General Government in order to reduce the County's reliance on debt.

General Fund Budget Guidelines

- Stafford will prepare and approve an annual budget. The County will annually adopt and
 execute a budget for such funds as may be required by law or by sound financial practices and
 generally accepted accounting principles. The budget shall control the levy of taxes and the
 expenditure of money for all County purposes during the ensuing fiscal year. The County
 budget shall be balanced within all available operating revenues, including fund balance, and
 adopted by the Board of Supervisors.
- Each year as part of the budget process, five year projections of revenues and expenditures will be prepared.
- Stafford County does not intend to issue tax or revenue anticipation notes to fund operations. The County intends to manage cash to prevent borrowing to meet cash flow needs.
- The school's share of the general government revenues will be 100% of meals tax revenues and an appropriate amount to ensure a globally competitive school system. The school operating transfer will be the difference between the school's share of general government revenues and school-related bonded and lease debt service.
- An amount equivalent to 1% of general fund expenditures will be set aside for pay-as-you-go capital projects.
- An amount equivalent to ½% of general government expenses will be set aside for the operating budget contingency reserve.

Budget & Finance Committee

• The Chairman of the Board of Supervisors will appoint a Budget & Finance Committee each year.

Budget Reviews

On a monthly basis, staff will provide written budget reports to the Board of Supervisors. Additionally, staff will provide quarterly budget and finance presentations at meetings of the Board of Supervisors.

Tax Trigger Provision

• General revenue increases that exceed revenue forecasts, and are not accompanied by additional costs in the annual budget process, provide a trigger to reduce the real estate tax rate.

Periodic Policy Review

The Board of Supervisors will review this policy no less than once every two years.

Budget Procedures/Calendar

Month Procedure

October Work Session

- Preliminary prior year balances
- 1st quarter review of fiscal year
- Preliminary budget overview to include:
 - Revenue projection with no increase in equalized tax
 - Expenditures with no new initiatives other than required
 - Information on new revenues and expenditures
 - Budget calendar

BOS/School Board Joint work session

November Feedback/Consensus/Guidance from the Board

Board priorities/Performance standards

Proposed CIP work session

December Public Hearing and adoption of CIP

Audit Report

January Work Session

• Final prior year balances

• Mid-year review

• Revenue trends for upcoming budget

• Feedback from Board

March Receive School Budget by March 7th

March, 1st meeting County Administrator presents Proposed Budget

March, 2nd meeting Budget work session

April, 1st meeting April, 2nd meeting April, 3rd meeting Budget work session

Budget work session & public hearing

Adopt budget

Legislative; Discuss Board Meeting Schedule. Mr. Milde motioned, seconded by Mr. Crisp, to move the November 4th Board meeting to November 5, 2008

The Voting Board tally on the motion was:

Yea: (5) Brito, Woodson

Nay: (2) Milde, Dudenhefer, Sterling, Schwartz, Crisp

Mr. Sterling motioned, seconded by Mr. Woodson, to move the November 18th Board meeting to November 20, 2008.

The Voting Board tally on the motion was:

Yea: (4) Dudenhefer, Sterling, Woodson, Crisp

Nay: (3) Brito, Milde, Schwartz

Recess. At 6:22 P.M., the Chairman declared a recess until 7:00 P.M.

<u>Call to Order.</u> At 7:07 P.M., the Chairman called the meeting back to order.

<u>Invocation.</u> Mr. Milde gave the Invocation.

<u>Pledge of Allegiance.</u> Mr. Milde led in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

<u>Legislative</u>; <u>Agenda Addition.</u> Mr. Sterling requested an add-on discussion item concerning the Commonwealth Attorney's office relocation.

Discussion ensued.

Mr. Romanello and Mr. Chichester will discuss over the next 3 months as to where the office will be located.

Legislative; Presentations by the Public. The following persons spoke on items as identified:

Lou Silver - Citizen participation.

<u>Public Information; Execute a Non-Exclusive Cable Television Franchise Agreement with Verizon Virginia Inc.</u> Ms. Cathy Riddle, Public Information Administrator, gave a presentation and turned the remainder of the presentation over to Mr. Brian Grogan, the County's Cable Consultant, and he responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution R08-358.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution R08-358 reads as follows:

A RESOLUTION TO EXECUTE A NON-EXCLUSIVE CABLE TELEVISION SYSTEM FRANCHISE AGREEMENT WITH VERIZON VIRGINIA INC.

WHEREAS, Verizon Virginia Inc. is constructing a fiber-to-the-house system in the County which presently offers only telephone and internet service; and

WHEREAS, Verizon Virginia Inc. desires to offer its complete FiOS (fiber optic service) package which includes telephone, internet service and cable television to Stafford citizens; and

WHEREAS, the County and Verizon Virginia Inc. have negotiated in good faith for terms and conditions to provide cable service that meet the terms and conditions in the cable television franchise agreements that the County has adopted with Comcast Communications, Cox Communications and Cavalier Telephone; and

WHEREAS, the County and Verizon Virginia Inc. have agreed to terms that are incorporated in a cable system franchise agreement, including pertinent exhibits that are incorporated by reference and attached thereto; and

WHEREAS, the Board has carefully considered the recommendation of the Telecommunications Commission, staff, and the testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the County Administrator be and he hereby is authorized to execute a Franchise Agreement with Verizon Virginia Inc.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify From B-1, Convenience Commercial to R-1, Suburban Residential Zoning District on Assessor's Parcel 54D-3-1-6, 0.66 Acres Located at 104 Hoyt Street Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Crisp motioned, seconded by Mr. Milde, to adopt proposed Ordinance O08-53.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Ordinance O08-53 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO **RECLASSIFY** FROM B-1, CONVENIENCE **COMMERCIAL** TO R-1, **SUBURBAN** RESIDENTIAL ZONING DISTRICT ON ASSESSOR'S PARCEL 54D-3-1-6, GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board of Supervisors, applicant, has submitted application RC2800300 requesting reclassification of the above mentioned property, consisting of approximately 0.66 acres, located on the west side of Hoyt Street approximately 200 feet north of White Oak Road within the George Washington Election District; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing; and

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify from B-1, Convenience Commercial to R-1, Suburban Residential Zoning District on Assessor's Parcel 54D-3-1-6.

<u>Utilities; Grant an Easement to Dominion Virginia Power</u>. Mr. Steve Crosby, Interim Director of Utilities, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-356.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution R08-356 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN EASEMENT AGREEMENT WITH DOMINION VIRGINIA
POWER

WHEREAS, Dominion Virginia Power has requested an easement across County property located adjacent to and below the Kellogg Mill Road bridge over the Abel Lake Reservoir to connect two (2) radial power feeds for the purpose of improving service reliability and decreasing load demands; and

WHEREAS, the granting of this easement will have no known negative impact on current or future operations of the Department of Utilities; and

WHEREAS, the Board has carefully considered the recommendations of staff and testimony received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August 2008, that the County Administrator be and he hereby is authorized to execute an Easement agreement with Dominion Virginia Power for the extension of its power lines through County property in the vicinity of the Kellogg Mill Road bridge and identified as Parcel 37-42C.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify from B-3, Office to B-2, Urban Commercial Zoning District on Assessor's Parcel 20G-1, 0.50 Acres Located at 101 Shenandoah Lane Mr.

Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following person spoke:

Barbara Jackson, Applicant

The Chairman left the public hearing open.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to defer proposed Ordinance O08-67 to the September 16, 2008 meeting.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

<u>Planning and Zoning</u>; <u>Amend Development Fees for Services Provided by the Department of Planning and Zoning</u>. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Brito, to adopt proposed Ordinance O08-65.

The Voting Board tally was:

Yea: (6) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (1) Milde

Ordinance O08-65 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN DEVELOPMENT

APPLICATION FEES FOR SERVICES PROVIDED BY THE DEPARTMENT

OF PLANNING AND ZONING

WHEREAS, the Board is authorized by the Code of Virginia to set reasonable

fees and charges for the development review services provided by the Department of

Planning and Zoning; and

WHEREAS, the Board acknowledges that the fees for these services should be

current with the costs for the services provided by the County in reviewing and

processing such applications; and

WHEREAS, the Board desires to set the fees for these services to be

commensurate with the services provided by the County in reviewing and processing

such applications;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of

Supervisors on this the 19th day of August, 2008, that the schedule of fees for

development review services listed below and provided by the Department of Planning

and Zoning, be and they hereby are amended and reordained as follows:

Service

Current Fee

Proposed Fee

Erosion & Sediment

Control (E&S) and

Stormwater Management

(SWM)

E&S/SWM Plan Review

Preliminary Subdivision Plan	\$200+contractor's review charge @ \$70-220/hour; \$1,000 application deposit with balance due prior to approval of plan	\$1,022
Stormwater Management Concept Plan	\$200+contractor's review charge @ \$70-220/hour \$1,000 application deposit with balance due prior to approval of plan	\$1,180
Major Site Plan	\$200+contractor's review charge @ \$70-220/hour; \$2,000 application deposit with balance due prior to approval of plan	\$2,656
Grading Plan	\$200+contractor's review charge @ \$70-220/hour; \$1,000 application deposit with balance due prior to approval of plan	\$1,060
Planning and Zoning		
Appeal to BOS	\$2,250 + \$850/Provision	\$2,250
Comprehensive Plan Compliance Review	\$300	\$300

BE IT FURTHER ORDAINED that this ordinance shall take effect on September 1, 2008; and

BE IT FURTHER ORDAINED that the fees included in this ordinance were previously referenced in Ordinance O05-27 and Ordinance O07-61, and such fees of those ordinances be and hereby are rescinded effective September 1, 2008.

<u>Planning and Zoning; Amend the Comprehensive Plan – Urban Services Area.</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

Alex Long

Rick Scribber

Linda Broyhill

David Newbraugh

Patricia Kurpiel

Bob Burner

Douglas Brown

Jim Bracco

Harvey Gold

Bob Hagan

Stephen Fuller

Clark Leming

Walter Kiwal

Elaine Callendar

Shawn Weingrass

Gerald Grinnell

Nan Rollison

Becky Reed

Jo Knight

Lou Silver

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Crisp, to defer proposed Resolution R08-387 to the 2nd meeting in September.

Discussion further ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to allow Dr. Fuller to speak again.

The Voting Board tally was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Schwartz, Woodson, Brito, Crisp

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to defer proposed Resolution R08-387 to a full work session on September.

The Voting Board tally was:

Yea: (5) Milde, Sterling, Brito, Crisp, Dudenhefer

Nay: (2) Schwartz, Woodson

Mr. Milde motioned, seconded by Mr. Sterling to have a target vote during the October 7, 2008 meeting.

Mr. Brito made a substitute motion, seconded by Mr. Dudenhefer, to hold a work session on September 9, 2008 at 6:30 p.m.

The Voting Board tally was:

Yea: (6) Milde, Sterling, Brito, Crisp, Dudenhefer, Schwartz

Nay: (1) Woodson

Recess. At 10:18 P. M., the Chairman declared a recess.

<u>Call to Order.</u> At 10:29 P. M. the Chairman called the meeting back to order.

<u>Planning and Zoning; Consider an Amendment to the Land Use Component of the Comprehensive Plan – Widewater Plan</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

Bob Burner

Debrarae Karnes

Elaine Callender

Nan Rollison

Patricia Kurpiel

Jo Knight

Phyllis Marceron

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Milde, to consider this issue with the larger land use issues are we forward in the Fall.

Mr. Woodson made a substitute motion, seconded by Mr. Brito, to adopt proposed Resolution R08-389.

Discussion ensued.

Mr. Sterling made a second substitute motion, seconded by Mr. Milde, to defer this item to be considered in conjunction with the USAs and the rest of the Land Use Plan.

Discussion further ensued.

The Voting Board tally was:

Yea:

(2) Milde, Sterling,

Nay:

(5) Crisp, Dudenhefer, Schwartz, Woodson, Brito

The Voting Board tally on the substitute motion was:

Yea:

Milde, Sterling, Brito, Crisp, Dudenhefer, Schwartz, Woodson

Nay: (0)

(7)

Resolution R08-389 reads as follows:

A RESOLUTION WHICH AMENDS THE COMPREHENSIVE PLAN BY REPEALING THE WIDEWATER AREA PLAN AND AMENDING THE LAND USE PLAN MAP

WHEREAS, the Widewater Area Plan was adopted in 1994 as an element of the Comprehensive Plan to serve as a guide to development in the Widewater area; and

WHEREAS, the Land Use Plan designations in the Widewater area allow for a mix of uses including suburban residential, commercial and neighborhood center developments; and

WHEREAS, development in the Widewater area has not followed the intent of the Widewater Area Plan; and

WHEREAS, the Planning Commission has proposed repealing the Widewater

Area Plan, and amending the Land Use Map for the Widewater area pursuant to the

provisions of Section 15.2-2230 of the Code of Virginia (1950), as amended; and

WHEREAS, the Planning Commission has reviewed the proposed amendment

and conducted a public hearing; and

WHEREAS, the Board has carefully considered the recommendations of the

Planning Commission, staff and testimony received at the public hearing; and

WHEREAS, the Board has determined that the requested Comprehensive Plan

amendment is compatible with the current and future land uses and will guide and

accomplish a coordinated development pattern that promotes health, safety, and welfare

of the residents of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 19th day of August, 2008, that the Widewater Area Plan, dated

May, 1994, be and it hereby is repealed, and that the Land Use Plan Map be and it hereby

is amended in accordance with the Land Use Map revision dated July 8, 2008.

Mr. Woodson motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-414.

The Voting Board tally was:

Yea:

(7) Milde, Sterling, Brito, Crisp, Dudenhefer, Schwartz, Woodson

Nay: (0)

Resolution R08-414 reads as follows:

A RESOLUTION WHICH AMENDS THE COMPREHENSIVE PLAN

BY REPEALING THE WIDEWATER AREA MASTER WATER

AND SEWER PLAN

WHEREAS, the Widewater Area Plan was adopted in 1994 as an element of the Comprehensive Plan to serve as a guide to development in the Widewater area; and

WHEREAS, the Widewater Area Master and Sewer Plan was adopted in 1995 as an element of the Widewater Plan; and

WHEREAS, development in the Widewater area has not followed the intent of the Widewater Area Plan, and

WHEREAS, the Planning Commission has proposed repealing the Widewater Area Plan and the Widewater Area Master Water and Sewer Plan; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and conducted a public hearing; and

WHEREAS, the Board has carefully considered the recommendations of the Planning Commission, staff and testimony received at the public hearing; and

WHEREAS, the Board has determined that the requested Comprehensive Plan amendment is compatible with the current and future land uses and will guide and accomplish a coordinated development pattern that promotes health, safety, and welfare of the residents of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that the Widewater Area Water and Sewer Master Plan, dated February, 1995, be and it hereby is repealed.

<u>Planning and Zoning; Refer Water and Sewer Master Plan to the Utilities Commission.</u>
The Deputy County Administrator commented.

Discussion ensued.

Mr. Brito motioned, seconded by Mr. Woodson, to defer proposed Resolution R08-418 until the scheduled Work Session on September 9, 2008.

Discussion further ensued.

The Voting Board tally was:

Yea: (5) Schwartz, Woodson, Brito, Crisp, Dudenhefer

Nay: (2) Sterling, Milde

Mr. Brito motioned, seconded by Mr. Crisp, to reconsider Resolution R08-414.

The Voting Board tally was:

Yea: (6) Sterling, Brito, Crisp, Dudenhefer, Schwartz, Woodson

Nay: (1) Milde

Mr. Sterling motioned, seconded by Mr. Brito to rescind Resolution R08-414.

The Voting Board tally was:

Yea: (6) Sterling, Brito, Crisp, Dudenhefer, Schwartz, Woodson

Nay: (1) Milde

Mr. Woodson motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-419.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Brito, Crisp, Dudenhefer, Schwartz, Woodson

Nay: (0)

Resolution R08-419 reads as follows:

A RESOLUTION TO REFER AN AMENDMENT TO THE COMPREHENSIVE PLAN BY REPEALING THE WIDEWATER AREA MASTER WATER AND SEWER PLAN TO THE UTILITIES COMMISSION

WHEREAS, the Widewater Area Plan was adopted in 1994 as an element of the Comprehensive Plan to serve as a guide to development in the Widewater area; and

WHEREAS, the Widewater Area Master and Sewer Plan was adopted in 1995 as an element of the Widewater Plan; and

WHEREAS, development in the Widewater area has not followed the intent of the Widewater Area Plan, and

WHEREAS, the Planning Commission has proposed repealing the Widewater Area Plan and the Widewater Area Master Water and Sewer Plan; and

WHEREAS, the Planning Commission has reviewed the proposed amendment and conducted a public hearing; and

WHEREAS, Section 2-27 of the County Code requires the Utilities Commission to conduct a public hearing on any amendment to the Master Water and Sewer element of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2008, that an amendment to the Comprehensive Plan to repeal the Widewater Area Water and Sewer Master Plan, dated February, 1995, be and it hereby is referred to the Utilities Commission.

Adjournment. At 11:28 P.M., the Chairman declared the meeting adjourned.		
Anthony J. Romanello, ICMA-CM	George H. Schwartz	